

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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KRISTIN M. CARLSON,

Case No. 12-CV-2101 (PJS/JSM)

Plaintiff,

v.

ORDER

SKO BRENNER AMERICAN, INC.;  
ACCURATE RECOVERY SOLUTIONS,  
INC.; and GUTHY-RENKER, LLC,

Defendant.

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Mark L. Heaney, HEANEY LAW FIRM, LLC, for plaintiff.

Timothy R. Franzen, MOSS & BARNETT, PA, for defendant Guthy-Renker,  
LLC.

This matter is before the Court on the motion of defendant Guthy-Renker, LLC (“Guthy-Renker”) to dismiss for lack of personal jurisdiction. For the reasons stated on the record at the April 15, 2013 hearing, the motion is denied.

As the Court explained at the hearing, Guthy-Renker hired defendant SKO Brenner American, Inc. (“SKO”) to collect a debt from a Minnesota resident named Pat C. Guthy-Renker concedes that, if SKO violated the law in collecting the debt from Pat C., the Court would have personal jurisdiction over Guthy-Renker in any lawsuit brought by Pat C. The only distinction here is that SKO mistakenly contacted the wrong Minnesota resident in attempting to collect the debt (and allegedly violated the law in the course of its attempt). In the Court’s view, however, this is a distinction without a difference. The fact remains that Guthy-Renker hired SKO to collect a debt in Minnesota, thus “‘purposefully direct[ing]’” its activities at residents of this State. *Burger King Corp. v. Rudzewicz*, 471 U.S. 462, 472 (1985) (quoting *Keeton v.*

*Hustler Magazine, Inc.*, 465 U.S. 770, 774 (1984)). Because this action arises out of those activities, there is specific personal jurisdiction over Guthy-Renker. *Id.* at 472-73.

ORDER

Based on the foregoing, and on all of the files, records, and proceedings herein, IT IS HEREBY ORDERED THAT the motion of defendant Guthy-Renker, LLC to dismiss for lack of personal jurisdiction [ECF No. 22] is DENIED.

Dated: April 15, 2013

s/Patrick J. Schiltz

Patrick J. Schiltz

United States District Judge